appear clearly that the husband was a resident of New York, and so the policy of New York did not forbid the recognition of the Nevada decree; and even if it did so appear, still the plaintiff was estopped to deny the validity of defendant's divorce. The holdings of the New York court in regard to recognizing a foreign divorce decree have placed it in a puzzling situation sometimes. In *Re Swale's Estate,* 70 N. Y. Supp. 220, the wife went to Illinois, got a divorce from her husband, came back to New York, married again and upon her first husband's death sued to get administration of his estate. Her second marriage was invalid by the laws of New York; yet it would be inconsistent to allow her, being the wife of another, to secure administration of her first husband's estate. The New York court solved the difficulty by holding that the wife, having secured the decree in Illinois, was afterwards estopped to deny its validity. For other cases arising under like circumstances see *In Re Feyh's Estate,* 5 N. Y. Supp. 90, *Berry* v. *Berry,* 114 N. Y. Supp. 497, *Starbuck* v. *Starbuck,* 173 N. Y. 503. The instant case goes a step further in holding that the plaintiff, who aided the wife in securing the decree, will also be estopped to deny its validity. See also *Kinnier* v. *Kinnier,* 45 N. Y. 535.

DIVORCE—INDIANS.—Plaintiff's mother was a Sioux Indian who had been abandoned by her husband Alexis, a half-breed, about four years before plaintiff's birth. Plaintiff claimed certain land as heir of Alexis upon the ground that there had been no valid divorce between Alexis and his mother. Alexis could read and write, and looked and dressed like a white man, but was recognized as a member of the Sioux tribe and followed tribal customs when he "bought" and married plaintiff's mother; under the same customs, his later abandonment of her amounted to a valid divorce. *Held,* that a divorce by abandonment according to Indian customs, when the tribe is still treated by the Federal government as a distinct community, will be recognized by state courts. *La Framboise* v. *Day,* (Minn. 1917) 161 N. W. 529.

The Indian custom in regard to marriage consisted simply in living together as husband and wife; divorce was an agreement to part, or abandonment by one party of the other. *Earl* v. *Godley,* 42 Minn. 361. One case says there must be express words uttered in the present tense disclosing a meeting of minds in order to constitute an Indian marriage. *Henry* v. *Taylor,* 16 S. D. 424. But most authorities do not require that the elements of a common law marriage be present. The question is simple when the marriage or divorce takes place in Indian territory and both parties are Indians; it is held uniformly in such cases that the marriage or divorce is valid. *Buck* v. *Branson,* 34 Okl. 807; *Wall* v. *Williamson,* 8 Ala. 48; *Earl* v. *Godley,* supra. The principal case holds that a marriage and divorce between a half-breed and Indian woman will be recognized although the half-breed acted and appeared like a white man and did not live on a reservation; the important fact was that he was recognized as a member of the tribe. In *Cyr* v. *Walker,* 29 Okl. 281, a white man who had been adopted by the Pottowatomie Indians married a white wife in Illinois, and after moving with her to an Indian reservation, abandoned her. It was held to constitute a divorce.

The court in the principal case disapproves of this case as going too far, and the trend of *Wells* v. *Thompson,* 13 Ala. 793, is also contrary. Where a white man lives upon an Indian reservation and takes an Indian woman and later abandons her, the proceeding has been upheld as marriage and divorce in several cases. *Johnson* v. *Johnson,* 30 Mo. 72; *Boyer* v. *Dively,* 58 Mo. 510; *La Riviere* v. *La Riviere,* 77 Mo. 512. Such a marriage without a later divorce was recognized in *Bank* v. *Sharpe,* 12 Tex. Civ. App. 223, and *Morgan* v. *McGhee,* 5 Humph. (Tenn.) 13. *In Re Wilbur's Estate,* 8 Wash. 35, was attempted to be distinguished from these cases on the ground that a prohibitory state statute applied within the reservation. If both parties are Indians and move out of the reservation into a state proper and then attempt to dissolve the marriage relation by abandonment, the divorce will not be upheld. *Connolly* v. *Woolrich,* 11 Lower Can. Jur. 197. If they remain after land has been allotted and state statutes have been applied a divorce according to Indian custom will not be recognized. *Moore* v. *Nah-con-be,* 72 Kan. 169. Contra *Kalyton* v. *Kalyton,* 45 Ore. 116.

HUSBAND AND WIFE—CONTRACT FOR SERVICES RENDERED HUSBAND.—The husband had hired the plaintiff, his wife, to assist him in his work as a detective agreeing to pay her what her services were reasonably worth. The statute provided that a married woman might contract with reference to her property in the same manner and to the same extent as a married man and that she should be entitled to her earnings. She sued to recover from her husband's estate the value of her services to him. *Held,* that a married woman under an express contract with her husband may recover for extra or unusual services rendered him. *In Re Cormick's Estate,* (Neb. 1916) 160 N. W. 989.

The authorities are in considerable conflict upon the point raised in the instant case. Under most Married Women's Statutes the wife is entitled to her earnings in her separate business or when she is in the employ of a third person. *Carse* v. *Reticker,* 95 Ia. 25; *Peterson* v. *Mulford,* 36 N. J. L. 481. All the authorities agree to the invalidity of a contract by a married woman to render services about the household, which she is duty bound to do. *Michigan Trust Co.* v. *Chapin,* 106 Mich. 384, 58 Am. St. Rep. 490 and note. But if the wife has good cause for divorce and, in consideration of money to be paid her for continuing her household duties, drops a divorce suit, the contract will be enforced. *Phillips* v. *Meyers,* 82 Ill. 67. The New York decisions are contrary to the principal case. In *Blaechinska* v. *Mission and Home,* 130 N. Y. 497, the plaintiff, a married woman, was employed as a seamstress by her husband. She was injured through the negligence of the defendant and sued for the value of her services, which she could no longer perform. The New York Statute then provided that a married woman should be entitled to her earnings, but the court held she could not recover. In *Coleman* v. *Burr,* 93 N. Y. 17, the wife agreed with her husband to care for his mother for $5 a week, and did so for eight years. The husband conveyed to her a tract of land in payment, and the deed was set aside as a fraud upon creditors. See also *Matter of Callister,* 153 N. Y. 294. Even